

SIKKIM



GOVERNMENT

GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok	Wednesday 16th February, 2022	No. 28
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**GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK**

No. 08/Home/2022

Dated: 04/02/2022

NOTIFICATION

In exercise of powers conferred under section 156 of the Sikkim Police Act, 2008 (Act No. 15 of 2008), and in compliance to the Hon'ble Supreme Court Judgment dated April 16, 2009 passed in Writ Petition (Criminal) No. 77 of 2007 with Writ Petition (Criminal) No. 73 of 2007, In Re: Destruction of Public and Private Properties vs. State of Andhra Pradesh and others {(2009) 5 Supreme Court Cases 212}, the State Government is pleased to lay down the following guidelines for regulation of public assemblies and peaceful procession/ protest on any public place, road, street or through fare and to effectuate the modalities for preventive action for agitations, bands, hartals, procession etc for compliance by all the concerned which are as under:-

- (I) Any person, organisation, association, union etc who intends to organize a peaceful protest/ demonstration shall take a written permission from the concerned District Superintendent of Police to conduct the peaceful protest.
- (II) No persons shall be allowed to carry weapons, including knives, lathis or any other such artifacts which can be used as a weapon in the peaceful protest.
- (III) The organisers shall depute one volunteer for 20 persons to ensure a peaceful march and shall also depute adequate number of volunteers at each relevant location as directed by the police to ensure such protest/ march/ assemblies are held in a peaceful atmosphere and there is no breach of peace.
- (IV) The organisers shall provide adequate drinking water and make arrangement for sanitation in relevant point for the protesters.
- (V) The organisers shall be held responsible for any breach of security and the police should take legal action as per law.
- (VI) The police shall do the videography of such protests to the maximum extent possible by its own personnel and also through private operators.
- (VII) The concerned District Superintendent of Police should designate a senior police officer as a officer-in-charge to supervise the demonstration/ protest.

- (VIII) In the event the demonstration turning violent, the officer-in-charge should ensure that the events are videographed by its own officer and through private operators.
- (IX) The concerned District Superintendent of Police shall immediately inform the District Magistrate with reports on the events, including damages, if any, caused by the protestors/ organisers and also damages caused due to police action.
- (X) The District Magistrate shall prepare a report on the basis of police reports and other information that may be available to it to be submitted to the Government through the Home Department.

By order and in the name of Governor,

R. Telang, IAS
Principal Secretary to the Government of Sikkim,
Home Department,